



DEPARTMENT OF THE NAVY
BOARD FOR CORRECTION OF NAVAL RECORDS
2 NAVY ANNEX
WASHINGTON DC 20370-5100

HD:hd
Docket No: 07131-00
19 January 2001

From: Chairman, Board for Correction of Naval Records
To: Secretary of the Navy

Subj: LT [REDACTED] MC, USN [REDACTED]
REVIEW OF NAVAL RECORD

Ref: (a) Title 10 U.S.C. 1552

Encl: (1) DD Form 149 dtd 10 Oct 00 w/attachments
(2) BUMED ltr dtd 12 Dec 00
(3) Subject's naval record

1. Pursuant to the provisions of reference (a), Subject, hereinafter referred to as Petitioner, filed enclosure (1) with this Board requesting, in effect, that the applicable naval record be corrected to reflect entry grade credit for his active duty as a commissioned officer in the U. S. Air Force; and that his lineal precedence be adjusted accordingly.

2. The Board, consisting of Messrs. Ensley, Mazza and Silberman, reviewed Petitioner's allegations of error and injustice on 19 January 2001, and pursuant to its regulations, determined that the corrective action indicated below should be taken on the available evidence of record. Documentary material considered by the Board consisted of the enclosures, naval records, and applicable statutes, regulations and policies.

3. The Board, having reviewed all the facts of record pertaining to Petitioner's allegations of error and injustice, finds as follows:

a. Before applying to this Board, Petitioner exhausted all administrative remedies available under existing law and regulations within the Department of the Navy.

b. In correspondence attached as enclosure (2), the Chief, Bureau of Medicine and Surgery office with cognizance over the subject matter of this case has commented to the effect that Petitioner's request has merit and warrants favorable action. They recommend changing his lieutenant date of rank from 7 June 1998 to 14 November 1995.

CONCLUSION:

Upon review and consideration of all the evidence of record, and especially in light of the contents of enclosure (2), the Board finds the existence of an injustice warranting the following corrective action.

RECOMMENDATION:


a. That Petitioner's naval record be corrected, where appropriate, to show the date of rank on his commission as a lieutenant, Medical Corps, U. S. Naval Reserve as 14 November 1995, vice 7 June 1998; and that his lineal precedence be adjusted accordingly.

b. That any material or entries inconsistent with or relating to the Board's recommendation be corrected, removed or completely expunged from Petitioner's record and that no such entries or material be added to the record in the future.


c. That any material directed to be removed from Petitioner's naval record be returned to the Board, together with a copy of this Report of Proceedings, for retention in a confidential file maintained for such purpose, with no cross reference being made a part of Petitioner's naval record.

4. Pursuant to Section 6(c) of the revised Procedures of the Board for Correction of Naval Records (32 Code of Federal Regulations, Section 723.6(c)) it is certified that a quorum was present at the Board's review and deliberations, and that the foregoing is a true and complete record of the Board's proceedings in the above entitled matter.

ROBERT D. ZSALMAN
Recorder


JONATHAN S. RUSKIN
Acting Recorder

5. Pursuant to the delegation of authority set out in Section 6(e) of the revised Procedures of the Board for Correction of Naval Records (32 Code of Federal Regulations, Section 723.6(e)) and having assured compliance with its provisions, it is hereby announced that the foregoing corrective action, taken under the authority of reference (a), has been approved by the Board on behalf of the Secretary of the Navy.


For W. DEAN PFEIFFER
Executive Director

7131-00



DEPARTMENT OF THE NAVY
BUREAU OF MEDICINE AND SURGERY
2300 E STREET NW
WASHINGTON DC 20372-5300

IN REPLY REFER TO

1120
Ser 522/01-7810
12 Dec 00

From: Chief, Bureau of Medicine and Surgery
To: Board for Correction of Naval Records

Subj: ADVISORY OPINIONS ICO LT [REDACTED]

Ref: (a) SECNAVINST 1120.12A

Encl: (1) BCNR Application IC [REDACTED]

1. Enclosure (1) is returned recommending Lieutenant [REDACTED] Date of Rank (DOR) be changed to 14 November 1995.
2. Per reference (a), Lieutenant [REDACTED] receives a total of 6 years, 6 months, and 23 days of entry grade credit. Per enclosure (1), he served 5 years, 1 month, and 16 days as a Tanker Navigator Officer in the United States Air Force. This active duty period has been calculated into the entry grade credit.
3. His current DOR for Lieutenant is 7 June 1998. This DOR does not include the active duty period served in the United States Air Force.
4. Your point of contact is Lieutenant Commander [REDACTED], NC, USNR, who may be reached at [REDACTED].

[REDACTED]
By direction